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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/975,831	10/11/2001	Kamal Acharya	NETS0085	3000

22862 7590 06/24/2003

GLENN PATENT GROUP
3475 EDISON WAY, SUITE L
MENLO PARK, CA 94025

EXAMINER

GART, MATTHEW S

ART UNIT	PAPER NUMBER
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3625

DATE MAILED: 06/24/2003 ✓

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application N .

09/975,831

Applicant(s)

ACHARYA ET AL.

Examiner

Matthew s Gart

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 May 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 October 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 24 May 2003 has been entered.

Drawings

This application has been filed with informal drawings, which are acceptable for examination purposes only. All the figures contain rough lines, which may affect clarity when reproduced.

Applicant is required to submit a formal correction of the noted defect. Applicant is required to submit drawing corrections promptly. Drawing objections may no longer be held in abeyance.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 6-18 and 21-25 are rejected under 35 U.S.C. 102(b) as being anticipated by Pricescan.com (PTO-892, Ref. U).

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Referring to claim 1. Pricescan.com discloses a method for providing an integrated electronic list of providers (page 3), comprising the steps of:

- Determining at least one online provider for an item (page 4, "Does a vendor need to have a web site to be included in the shopping guide");
- Determining at least one offline provider for the item (page 4, "Does a vendor need to have a web site to be included in the shopping guide"); and
- Integrating the at least one online provider with the at least one offline provider to provide an integrated list of providers for the item (page 4, "Does a vendor need to have a web site to be included in the shopping guide").

Referring to claim 2. Pricescan.com further discloses a method wherein the determining steps follow a request for a product (page 3).

Referring to claim 3. Pricescan.com further discloses a method wherein the request is for a product category (page 3).

Referring to claim 6. Pricescan.com further discloses a method including providing comparison information for the at least one online provider and the at least one offline provider (page 3 – page 5).

Referring to claims 7-13. Pricescan.com further discloses a method wherein the comparison information includes price, rating, review, availability, promotion, electronic wallet, and return-policy comparison (full text).

Referring to claim 14. Pricescan.com further discloses a method providing comparison information about at least two offline providers (page 4).

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Referring to claims 15-16. Pricescan.com further discloses a method wherein the comparison information includes in-store return policy and in-store pickup policy of online purchases (page 4).

Referring to claims 17-18. Pricescan.com further discloses a method wherein the comparison information includes special promotions and coupon-availability information (page 4).

Referring to claim 21. Pricescan.com further discloses a method wherein the comparison information includes user review (page 12).

Referring to claim 22. Claim 22 is rejected under the same rationale as set forth in claim 1.

Referring to claim 23. Claim 23 is rejected under the same rationale as set forth in claim 1.

Referring to claim 24. Pricescan.com further discloses a computer system implement on a network environment (full text).

Referring to claim 25. Pricescan.com further discloses a computer system wherein the network environment further comprising a global communications network (full text).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4-5 and 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pricescan.com (PTO-892, Ref U) in view of Giovannoli U.S. Patent No. 5,758,328.

Referring to claims 4-5. Pricescan.com discloses a method according to claim 2 as indicated supra. Pricescan.com does not expressly disclose a method wherein the request is for a desired geographical area or for a predetermined proximity to a target location. Giovannoli discloses a method wherein the request is for a desired geographical area or for a predetermined proximity to a target location (abstract). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to have modified the apparatus, system, and method of Pricescan.com to include the limitations Giovannoli as discussed above in order to allow the consumer to save money and help take the hassle out of shopping (Pricescan.com: Page 3).

Referring to claims 19-20. Pricescan.com discloses a method according to claim 14 as indicated supra. Pricescan.com does not expressly disclose a method wherein the comparison information includes proximity and direction to the at least two offline providers. Giovannoli discloses a method wherein the comparison information includes proximity and direction to the at least two offline providers (abstract). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to have modified the apparatus, system, and method of Pricescan.com to include the limitations Giovannoli as discussed above in order to allow the consumer to save money and help take the hassle out of shopping (Pricescan.com: Page 3).

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Conclusion

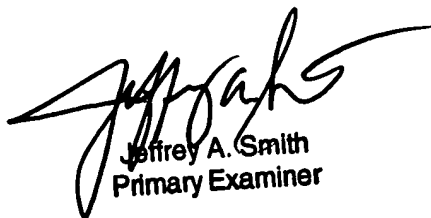
Any inquiry concerning this communication should be directed to Matthew Gart whose telephone number is 703-305-5355. This examiner can normally be reached Monday-Friday, 8:30AM-5:30PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ms. Wynn Coggins can be reached on 703-308-1344. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

MSG

June 18, 2003



Jeffrey A. Smith
Primary Examiner